

### **REMARKS/ARGUMENTS**

Following amendment, seventeen claims remain in the present application. More specifically, claims 1 and 9 have been amended to incorporate the limitations of allowable claims 7, and 20. Consequently, claims 2, 7, 10, and 20 have been cancelled, and claims 3, 5-6, 8, 11, 17-19 have been amended to correct dependency problems created through these claim cancellations. Claim 1 was further amended to correct minor antecedent basis problems. Furthermore, claims 22-23 have been cancelled to expedite examination and allowance of the present application. Following amendment, Applicants believe that independent claims 1 and 9, and the remaining claims 3-6, 8, 11-19, and 21 depending therefrom are now in condition for allowance. If, however, if additional correction is needed, Applicants invite the Patent and Trademark Office to contact the undersigned to discuss further amendment.

#### **Rejection under 35 USC §103**

The Office Action rejected claims 1-4, 6, 9-11, and 13-23 under 35 USC §103(a) as being unpatentable over the combination of US Patent No. 6,724,304 (the “Risi” reference) and US. Patent Publication No. 2004/0232054 (the “Brown” reference). The Office Action further rejected claims 5 and 12 under 35 USC §103(a) as being unpatentable in view of Risi and Brown, further in combination with U.S. Patent No. 6,484,650 (the “Stomski” reference). The Office Action additionally rejected claim 8 under 35 USC §103(a) as being unpatentable in view of Risi and Brown in combination with US Patent No. 6,057,761 (the “Yukl” reference). The Office Action further rejected claims 7 and 20 as depending from rejected claims, but indicated that the claims would be allowable if rewritten in independent format. Applicants would like to express gratitude to the Patent and Trademark Office for this acknowledgement.

Applicants have carefully reviewed the Risi, Brown, Stomski, and Yukl references, and Applicants believe that the present invention is distinguishable over the combination of Risi and Brown in further combination with either Stomski or Yukl. Specifically, Applicants urge that it is improper to combine Risi and Brown since there is no reason contained in the references to be combined except to improperly recreate the invention of the present invention in hindsight. Nevertheless, Applicants at this time have amended the independent

claims 1 and 9 to include, respectively, the limitations of allowable claims 7 and 20, essentially rewriting claims 7 and 20 in independent format. Applicants make the present amendment to expedite examination of the present invention and subsequent allowance of the amended claims. However, Applicants hereby reserve the right to file a continuation application in the future to further pursue the original patent claims.

Applicants specifically urge that Risi and Brown by themselves or in additional combination with either Stomski or Yukl do not anticipate or make obvious a security checkpoint containing the limitations of amended claim 1, namely “ A security checkpoint comprising: a transport device; and at least one checkpoint module contained on said transport, the module comprising: an item screening area including an input area that receives an item deposited by a person, an item screening device that screens the item, a output area that returns the item to the person after completion of a first and a second personal screenings, a personal screening area positioned adjacent to the item screening area, wherein the person entering the personal screening area after depositing the item in the input area, the personal screening area performing the first personal screening to determine whether to perform the second personal screening, the person leaving the personal screening area and retrieving the item from the output area in a substantially straight path if the second personal screening is not performed, an enclosure, the enclosure being physically separated from the item screening area and the personal screening area, wherein the person leaves the personal screening area and enters the enclosure if the first personal screening indicates a need to perform the second personal screening, the second personal screening occurring in the enclosure, and a small item screening device that assists in the second personal screening.” Claim 9 is likewise allowable under similar grounds. Claims 3-6, 8, 11-19 and 21 should also allowable as depending from allowable claims 1 and 9.

#### Conclusion

In view of the foregoing, Applicants submit that this application is in condition for allowance and such disposition is earnestly solicited. If the Examiner believes that the prosecution of this case might be advanced by discussing the application with Applicants' representative, in person, or over the telephone, we would welcome the opportunity to do so.

EXCEPT for fees payable under 37 CFR §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees due under 37 CFR §1.16 and 1.17 which may be required,

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Amendment


including any required extension of time fees, or credit, any overpayment to deposit account No. 50-1349. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 CFR §1.136(a)(3).

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1349.

Respectfully submitted,

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**HOGAN & HARTSON LLP**  
555 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20004  
Telephone: 202-637-5600  
Facsimile: 202-637-5910  
**Customer No. 30398**

By:   
Celine Jimenez Crowson  
Registration No. 40,357

David D. Nelson  
Registration No. 47,818